

BUILDING AND STANDARDS MEETING
Monday, April 30, 2012

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The Building and Standards Commission of Bedford, Texas, met at Bedford City Hall, 2000 Forest Ridge Drive, Bedford, Texas, Monday, April 30, 2012 at 6:00 p.m. for a planning work session, followed by the meeting at 6:30 p.m.

MEMBERS PRESENT

Randy Youngs	(Chairman)
Ron Owens	(Vice Chair)
Tom Bresnahan	
Daniel Novocin	

STAFF PRESENT

Russell Hines, Building Official
Tommy Peterson, Code & Inspections Manager
Charlotte Nadin, Development Department Secretary

(The following items were considered in accordance with the official agenda posted on the 27th day of April 2011.)

CALL TO ORDER

Chairman Youngs reviewed the Building and Standards meeting format and procedure for the evening. This information is shared with the general public prior to each meeting held by the commission.

He informed those in attendance that the Building and Standards Commission is a quasi-judicial body. A formal record is made of each hearing and each case. The Commission is permitted to act only upon factual information or evidence that is presented by the staff and by parties making presentations at the public hearing on each case. Any party or individual who disagrees with a decision of the Building and Standards Commission must appeal such decision to a State District Court as the City Council of the City of Bedford has no review authority over the decisions of this Commission.

Chairman Youngs then addressed the first item of business which was the election of officers.

ELECTION OF OFFICERS

A discussion of the nomination process had occurred during the work session. It was mentioned that since there were two new members this year and two had left the committee last year, Mr Youngs and Mr. Owens were the only two left that were familiar with the Building & Standard procedures. After a brief discussion Chairman Youngs called for a motion. Randy Youngs made the motion that he be nominated as Chairman and Ron Owens be nominated as Co-Chairman. Novocin seconded.

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Chairman Youngs addressed the next item of business, which was the approval of minutes.

APPROVAL OF MINUTES

1. **Consider approval of the following Building and Standards Commission minutes:**
 - a) **November 28, 2011 regular meeting**

The minutes from the Monday, November 28th meeting were reviewed. Chairman Youngs then asked if there was a motion regarding the minutes. Ron Owens made the motion that the minutes be accepted as written. Mr. Novocin seconded. The vote was unanimous.

Ayes: Commissioners, Youngs, Owens, Novocin, Bresnahan.

Nays: None

Abstentions: None

Chairman Youngs declared the motion approved.

OLD BUSINESS

There being no old business, new business was addressed.

NEW BUSINESS

Chairman Youngs addressed the first item of business:

1. **Waiver request B12-001. Request presented by Roger Smeltzer for Central Square, 1833 Airport Freeway, to grant approval of a sign permit application for a 13 foot high, 96 square foot Commercial Complex Sale or Lease Sign. Measurements of the sign will exceed the maximum area of 50 square feet and 6 feet in height as required in Section 6-72. Temporary Signs, Commercial Complex Sale or Lease Free Standing Sign. The applicant's request necessitates a waiver from the City of Bedford Sign Ordinance, Section 6-72.**

The Chairman asked if anyone was present representing the City to speak regarding this request. Russell Hines, Chief Building Official for the City of Bedford stepped forward. He reviewed the waiver request stating the measurements were in excess of those required by the ordinance. He gave a history of the sign stating that it was currently up and had been in existence for several years. Mr. Smeltzer, Bill Syblon, and Russell had worked together on allowing the sign to be located where it currently was. For clarification he mentioned that there were actually two signs at that location one was larger than the other. This matter was coming before the commission due to the City Council's mandate to the city staff to have all existing signs brought into compliance.

The Chairman asked if there were any questions for Russell from the commission. Ron Owens asked if the smaller sign of the two had been moved up closer to the street. Mr. Hines stated that it was the larger sign that was moved. The Chairman stated that there were a number of similar signs located throughout the city and that the City Council wanted to make sure that these signs were consistent from location to location. Mr. Novocin asked if a permit had been issued for that sign at that location and Russell stated not for a permanent sign. Mr. Novocin asked if there had been a permit from the very beginning and Russell said no.

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The Chairman asked if there were any more questions from the commission. There were none. The Chairman then asked if there was anyone to speak representing the waiver request.

Roger Smeltzer felt the owner should speak first, so Jody Hawn owner/partner of Forest Oaks Shopping Center stepped forward. He stated he was grateful to be a property owner in Bedford and had been a property owner here for approximately 16 to 18 years. He stated that the sign had been placed on the property when they acquired it. Over the years they had changed the facia when the phone numbers changed or the sign weathered and needed repainting. As the freeway work began with all of its disruptions in traffic, etc. he had asked Roger to move the sign and get a commitment from the City to allow them to move the sign. With all the highway construction and a number of their tenants businesses doing poorly, they had cut their rent 30, 40, and 50 percent. Thankfully, Carter Blood Center hadn't asked for the same, yet. Any help the City could give them would be appreciated.

Chairman Youngs asked if anyone else would like to speak. Roger Smeltzer identified himself as a resident of Bedford who lived at 2909 Miles Way. He is also a member of the Planning and Zoning Commission.

He stated that he started working for Mr. Hawn in 1989. He stated that the sign is the exact same sign and size of the original sign that has been in existence for 20 years. He stated he had met with Russell and Bill to get a banner sign and was granted permission for this sign. He came to both of them in May two years ago asking if he could relocate the sign. The sign has been effective through the construction and he was now confused that he was having to apply for the waiver, because he had been originally authorized by city officials to have it. Had the sign been put up illegally, he would have taken it down.

He stated there were quite a few buildings that were older than this sign and they had spent over \$4,000 just to relocate it. Now with the extenuating circumstances of the highway construction, sight line and elevation changes the sign's current location was very low and far from the entrance. He stated the sign had been given approval by city officials citing a conference call with Tommy Peterson, Russell Hines and Bill Syblon.

Mr. Novocin asked if the existing sign was the same size. Roger stated that it was the exact same size and material that had been allowed without any issues from the City.

The Chairman asked if there were any additional questions. There were none. He called for any questions from the public. There were none. He then called for discussion.

The commission agreed that the extenuating circumstances of all the highway construction, site lines and elevation changes would necessitate the owner bringing the sign to its best visibility. With this being a temporary sign, they needed to look at the time frame and determine how long the sign would be allowed. They had to consider how long it would be before the highway would be completed. TxDot had stated it would be 2015 to 2016 before the highway would be completed. With that in mind they estimated it would be 14 to 18 months and possibly 24 months if the time frame was lengthened.

Tom Bresnahan suggested the waiver be granted for 30 days after the major portion of Highway 183 is completed. Mr. Novocin asked if they could find a date for substantial completion. Russell stated it was mid-2015. The discussion continued with their looking at 36 months temporary status and how long it had already been allowed.

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Chairman Youngs stated that city and its staff, based upon familiarity of the sign and its location, had tried to work with Mr. Smeltzer. That it was Bedford's desire to work with and help its business owners in Bedford. Mr. Youngs wanted to reiterate that this waiver request had come before them because the city staff was following the City Council's mandate/orders to bring all signs in Bedford into compliance with the sign ordinance.

The Chairman called for any additional comments or questions.

The Chairman called for additional questions. There being none, a motion was called for by the Chairman.

Daniel Novocin made the following motion:

MOTION:

That we grant the waiver, based on the information submitted, to keep the temporary sign at the specific location for 36 months. They can bring it up again if the highway construction is still underway due to the special construction of Highway-183 and the site lines at that location. A new waiver would have to be submitted.

Tom Bresnahan seconded the motion. The Chairman called for a vote. The vote was unanimous.

Ayes: Commissioners, Youngs, Owens, Novocin, Bresnahan.

Nays: None

Abstentions: None

Chairman Youngs declared the motion approved.

ADJOURNMENT

Chairman Youngs asked if there was other business to be brought before the board.

Chairman Youngs determined that there was no further business and called for a motion to adjourn.

Tom Bresnahan made the motion to adjourn. Daniel Novocin seconded. The vote was unanimous.


Ayes: Commissioners, Youngs, Owens, Novocin, Bresnahan.

Nays: None

Abstentions: None



Chairman Randy Youngs



Date